

**BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. 2007-248

**JUDE N. NWOSU**  
5101 South Mill Avenue, #255  
Tempe, AZ 85282

Registered Nurse License No. 608042,

Respondent.

**DECISION AND ORDER**

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on August 18, 2008.

IT IS SO ORDERED August 18, 2008.

*LaTranene W Tate*

\_\_\_\_\_  
FOR THE BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS

1 EDMUND G. BROWN JR., Attorney General  
of the State of California  
2 ALFREDO TERRAZAS  
Senior Assistant Attorney General  
3 ARTHUR D. TAGGART, State Bar No. 083047  
Supervising Deputy Attorney General  
4 California Department of Justice  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 324-5339  
Facsimile: (916) 327-8643

7 Attorneys for Complainant

8  
9 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:  
12 **JUDE N. NWOSU**  
5101 South Mill Avenue, #255  
13 Tempe, AZ 85282  
14 Registered Nurse License No. 608042,  
15 Respondent.

Case No. 2007-248

**STIPULATED SURRENDER**  
**OF LICENSE AND ORDER**

17 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this  
18 proceeding that the following matters are true:

19 **PARTIES**

20 1. Ruth Ann Terry, M.P.H., R.N. (Complainant), is the Executive Officer of  
21 the Board of Registered Nursing. She brought this action solely in her official capacity and is  
22 represented in this matter by Edmund G. Brown Jr., Attorney General of the State of California,  
23 by Arthur D. Taggart, Supervising Deputy Attorney General.

24 2. Respondent Jude N. Nwosu is representing himself in this proceeding and  
25 has chosen not to exercise his right to be represented by counsel.

26 ///  
27 ///  
28 ///





1           14.     Respondent shall lose all rights and privileges as a Registered Nurse in  
2 California as of the effective date of the Board's Decision and Order.

3           15.     Respondent shall cause to be delivered to the Board both his pocket  
4 license and wall certificate on or before the effective date of the Decision and Order.

5           16.     Respondent fully understands and agrees that if he ever files an application  
6 for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a  
7 petition for reinstatement. Respondent must comply with all the laws, regulations and  
8 procedures for reinstatement of a revoked license in effect at the time the petition is filed, and all  
9 of the charges and allegations contained in Accusation No. 2007-248 shall be deemed to be true,  
10 correct and admitted by Respondent when the Board determines whether to grant or deny the  
11 petition.

12           17.     Upon reinstatement of the license, Respondent shall pay to the Board costs  
13 associated with its investigation and enforcement pursuant to Business and Professions Code  
14 section 125.3 in the amount of Five Hundred Eleven Dollars and Seventy-Five Cents (\$511.75).  
15 Respondent shall be permitted to pay these costs in a payment plan approved by the Board.

16           18.     Respondent shall not apply for licensure or petition for reinstatement for  
17 two (2) years from the effective date of the Board of Registered Nursing's Decision and Order.

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ACCEPTANCE**

I understand that I have the right to retain private counsel at my own expense. I have chosen to represent myself in this proceeding. I have carefully read the above Stipulated Surrender of License and Order I understand the stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED: 3-27-08

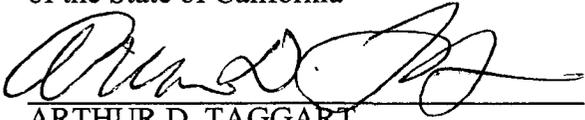
  
\_\_\_\_\_  
JUDE N. NWOSU  
Respondent

**ENDORSEMENT**

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

DATED: May 16, 2008

EDMUND G. BROWN JR., Attorney General  
of the State of California

  
\_\_\_\_\_  
ARTHUR D. TAGGART  
Supervising Deputy Attorney General

Attorneys for Complainant

**Exhibit A**  
**Accusation No. 2007-248**

1 EDMUND G. BROWN JR., Attorney General  
of the State of California  
2 ALFREDO TERRAZAS  
Senior Assistant Attorney General  
3 ARTHUR D. TAGGART, State Bar No. 83047  
Supervising Deputy Attorney General  
4 California Department of Justice  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 324-5339  
Facsimile: (916) 327-8643

7 Attorneys for Complainant

8  
9 **BEFORE THE**  
10 **BOARD OF REGISTERED NURSING**  
11 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:  
13 JUDE N. NWOSU  
5101 South Mill Avenue, #255  
14 Tempe, AZ 85282  
15 Registered Nurse License No. 608042  
16 Respondent.

Case No. 2007-248

**A C C U S A T I O N**

17  
18 Complainant alleges:

19 **PARTIES**

- 20 1. Ruth Ann Terry, M.P.H., R.N. ("Complainant") brings this Accusation  
21 solely in her official capacity as the Executive Officer of the Board of Registered Nursing  
22 ("Board"), Department of Consumer Affairs.  
23 2. On or about October 15, 2002, the Board issued Registered Nurse License  
24 Number 608042 to Jude N. Nwosu ("Respondent"). The registered nurse license was in full  
25 force and effect at all times relevant to the charges brought herein and will expire on  
26 February 29, 2008, unless renewed.

RECEIVED  
2007 OCT 23 10:00 AM  
DEPARTMENT OF CONSUMER AFFAIRS  
SACRAMENTO, CALIFORNIA



1 *the Matter of Professional Nurse License No. RN114528 Issued to: Jude Nnamentelum Nwosu*  
2 (attached hereto as **Exhibit A**), the Arizona State Board of Nursing accepted the voluntary  
3 surrender of Respondent's Arizona Professional Nurse License, No. 114528. The basis of said  
4 discipline is as follows:

5 a. While working for MD Home Health, Inc. in Phoenix, Arizona, on or  
6 about October 7, 2002 and October 8, 2002, Respondent locked himself in a room with a  
7 seventeen year old female patient in her home. Additionally, Respondent slept on the shift.

8 b. While working as a nurse in Phoenix, Arizona, on or about September 13,  
9 2003, Respondent neglected to obtain a medical evaluation on a 45 year old developmentally  
10 disabled patient who was in pain, had a swollen left knee and an elevated fever. It was  
11 subsequently discovered the patient had a fractured left femur.

12 c. During the period November 4, 2003 and November 19, 2003, during  
13 nursing refresher courses at Gateway Community College in Arizona, Respondent failed to  
14 demonstrate a fundamental familiarity with the basic requirements of the nursing profession,  
15 including a lack of knowledge of basic nursing skills, poor technique and poor attitude. On or  
16 about November 20, 2003, Respondent failed the course.

17 d. While working for Maxim Healthcare on or about May 24, 2004,  
18 Respondent inserted a catheter into a 55 year old developmentally disabled adult's penis, inflated  
19 the catheter balloon and then pulled the catheter out while the balloon was still inflated, causing  
20 the patient severe pain and the patient's penis to bleed.

21 **PRAYER**

22 **WHEREFORE**, Complainant requests that a hearing be held on the matters  
23 herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

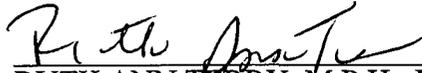
24 1. Revoking or suspending Registered Nurse License Number 608042, issued  
25 to Jude N. Nwosu;

26 2. Ordering Jude N. Nwosu to pay the Board of Registered Nursing the  
27 reasonable costs of the investigation and enforcement of this case, pursuant to Code section  
28 125.3; and

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

3. Taking such other and further action as deemed necessary and proper.

DATED: 3/26/07

  
RUTH ANN TERRY, M.P.H., R.N.  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

03579110-SA2006101938  
Nwosu.acc.wpd  
BC [2/9/2007]

# EXHIBIT A

1  
2  
3  
4  
5  
6  
7  
8  
9

ARIZONA STATE BOARD OF NURSING  
1651 East Morten Avenue, Suite 210  
Phoenix, Arizona 85020-4613  
602-889-5150

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

IN THE MATTER OF PROFESSIONAL NURSE  
LICENSE NO. RN114528 and NURSING  
ASSISTANT CERTIFICATE NO. CNA999989630  
ISSUED TO:

JUDE NNAMENTELUM NWOSU,

Respondent.

CONSENT FOR ENTRY OF  
VOLUNTARY SURRENDER  
ORDER NO. 0205036

The Arizona State Board of Nursing ("Board") received several complaints charging Jude Nnametelum Nwosu ("Respondent") with violations of the Nurse Practice Act. In the interest of a prompt and speedy settlement of the above-captioned matter, consistent with the public interest, statutory requirements, and the responsibilities of the Board, and pursuant to A.R.S. §32-1663 (D)(5), Respondent voluntarily surrenders his license for a minimum of three years.

Based on the evidence before it, the Board makes the following Findings of Fact.

Conclusions of Law:

FINDINGS OF FACT

1. The Arizona State Board of Nursing ("Board") has the authority to regulate and control the practice of nursing in the State of Arizona, pursuant to A.R.S. §§32-1606, 32-1663, and 32-1664. The Board also has the authority to impose disciplinary sanctions against the holders of nursing licenses for violations of the Nurse Practice Act, A.R.S. §§32-1601 to -1667.

2. Jude Nnametelum Nwosu ("Respondent") holds Board-issued professional nurse license No. RN114528, which is valid through June 30, 2005.

3. From on or about July 23, 2002, to on or about October 11, 2002, Respondent was employed by MD Home Health, Inc. in Phoenix, Arizona.

1                   4.    On or about October 7, 2002, and on or about October 8, 2002, Respondent  
2 provided nursing care to A.S., a 17 year old female, in the patient's home from 7:00 a.m. to 7:00 p.m.  
3 each day. On or about October 8, 2002, patient A.S.'s mother complained to MD Home Health staff  
4 that Respondent locked the door to A.S.'s room at different intervals throughout his shift on both days.  
5 Respondent admitted to sleeping while on duty for a short interval on October 7, 2002.  
6

7                   5.    On or about October 11, 2002, Respondent's employment from MD Home Health  
8 was terminated for unprofessional conduct, and related to his care of A.S.  
9

10                  6.    On or about June 2, 2002, Respondent's employment was terminated from  
11 CareStaf, a nursing registry, after the registry received a complaint against Respondent of *alleged*  
12 inappropriate behavior while working on or about May 31, 2002, at Mesa Christian Care Center. *mis.*  
13

14                  7.    From on or about February 7, 2002, to on or about May 14, 2002, Respondent  
15 was employed by Highland Manor Nursing Home in Phoenix, Arizona.  
16

17                  8.    As documented in complaint #OLTC010121075, Arizona Department of Health  
18 Services substantiated that Respondent failed to follow professional conduct by allowing a nursing  
19 assistant to perform a complex wound dressing change for resident R.V. on or about May 4<sup>th</sup> and May  
20 5<sup>th</sup>, 2002. Respondent asserts that the nursing assistant performed the dressing change without  
21 Respondent's knowledge or permission.  
22

23                  9.    On or about May 14, 2002, Respondent's employment with Highland Manor  
24 Nursing Home was terminated as a result of Respondent's alleged failure to document and/or  
25 administer medications, and initiate a STAT order. Respondent told Board staff that he was not  
26 terminated, but that he resigned due to poor staffing and unsafe patient condition.  
27

28                  10.   On or about September 13, 2003, Respondent failed to obtain a medical  
29 evaluation on a 45 year old developmentally disabled patient who had a painful and swollen left knee

1 and an elevated temperature. Respondent asserts that he applied ice and administered pain  
2 medication, but failed to make arrangements for the medical evaluation. Respondent failed to  
3 document his action in the Nurses' Notes on September 13, 2003. The oncoming evening shift nurse  
4 assessed J.P.'s left knee, contacted the primary care provider and sent J.P. to the emergency room for  
5 an x-ray where it was determined that J.P. had a fractured left femur. Following an AHCCCS'  
6 investigation of this situation, the allegation of neglect against Respondent was substantiated.  
7

8  
9 11. On or about November 4, 2003, while attending NCE275, a RN Refresher  
10 Course at Gateway Community College, Respondent met with his instructor and received a clinical  
11 warning regarding his performance. In the Refresher course the student is expected to have  
12 fundamental familiarity with the nature of clinical practice, clinical communication skills, and  
13 knowledge of fundamental patient care skills in a medical-surgical environment. The clinical warning  
14 identified that Respondent: a) demonstrated gaps in knowledge base and performance in the  
15 emergency room setting; b) lacked in certain basic care skills and medication administration skills; and  
16 c) received complaints from staff in his clinical site relating to his inattentiveness, poor technique in IV  
17 therapy skills and sterile fields, and having a defensive attitude. Respondent's clinical was moved  
18 from the emergency room to Unit 3A, a medical-surgical unit, where Respondent was able to be  
19 evaluated more closely and able to provide return demonstration of skills. According to the  
20 documentation, Respondent denied having a defensive attitude.  
21  
22

23  
24 12. On or about November 19, 2003, the Instructor for NCE275 received a call from  
25 Respondent's clinical site requesting that he not return to unit 3A for the following reasons: a)  
26 Respondent places excessive demands on staff time due to his lack of fundamental knowledge of the  
27 nursing process; b) Respondent is considered unsafe in practices related to assessment of patients,  
28 communication with patients, reporting important information to the preceptor, medication  
29

1 administration via injection, and use of IV equipment; c) Respondent's skill level is considered below  
2 that of a newly graduated RN, and some have placed it below the level of a new student; d)  
3 Respondent lacks initiative; e) Respondent prioritizes poorly; and f) Respondent takes direction  
4 poorly.  
5

6 13. On or about November 20, 2003, the Board received information from Gateway  
7 Community College that Respondent was withdrawn from NCE275, because Respondent was not  
8 passing the course and could not correct deficiencies in the remaining six clinical days. The course  
9 instructor recommended that Respondent be permitted to repeat the course and take Principles of IV  
10 Therapy and Physical Assessment concurrently. The instructor also stated that Respondent should not  
11 be allowed unsupervised practice as a professional nurse at this time.  
12

13 14. On or about June 7, 2004, the Board received a complaint against Respondent  
14 from Adult Protective Services alleging his patient abuse. It was reported that on or about May 24,  
15 2004, Respondent caused severe pain when inserting a foley catheter into the penis of a 55 year old  
16 developmentally disabled adult while employed by Maxim Healthcare. Respondent filed a written  
17 statement with his employer explaining what occurred. Respondent said he removed the old catheter  
18 from S.F. without a problem and inserted the new catheter. He explained that as he was starting to  
19 inject the sterile water into the balloon to hold the catheter in place, S.F. pulled the catheter out.  
20 Respondent reinserted the catheter and inflated the balloon, however, this time S.F. pulled out the  
21 catheter with the balloon inflated causing his penis to bleed. Respondent said that he deflated the  
22 balloon, washed his hands, and reinserted the catheter with the help of a caregiver named Marilyn who  
23 restrained S.F.'s hands. Respondent then cleaned up S.F., put on a new diaper and medicated him for  
24 pain before leaving.  
25  
26  
27  
28  
29



1 the knowledge and/or training to practice professional nursing safely and without endangering the  
2 public, and is grounds for disciplinary action pursuant to A.R.S. §32-1663 and §32-1664.

3  
4 5. The conduct and circumstances described in paragraphs 3 through 15 of the  
5 Findings of Fact constitute unprofessional conduct pursuant to A.R.S. §32-1601(16)(j), (violating a  
6 rule that is adopted by the board pursuant to this chapter, specifically, A.A.C. R4-19-403(1), (a  
7 pattern of failure to maintain minimum standards of acceptable and prevailing nursing practice), and  
8 is grounds for disciplinary action pursuant to A.R.S. §32-1663 and §32-1664.

9  
10 6. The conduct and circumstances described in paragraphs 3 through 15 of the  
11 Findings of Fact constitute unprofessional conduct pursuant to A.R.S. §32-1601(16)(j), (violating a  
12 rule that is adopted by the board pursuant to this chapter, specifically, A.A.C. R4-19-403(2),  
13 (intentionally or negligently causing physical or emotional injury), and is grounds for disciplinary  
14 action pursuant to A.R.S. §32-1663 and §32-1664.

15  
16 7. The conduct and circumstances described in paragraphs 3 through 15 of the  
17 Findings of Fact constitute unprofessional conduct pursuant to A.R.S. §32-1601(16)(j), (violating a  
18 rule that is adopted by the board pursuant to this chapter, specifically, A.A.C. R4-19-403(5), (failing  
19 to maintain for each patient a record which accurately reflects the nursing care and treatment provided  
20 to a patient), and is grounds for disciplinary action pursuant to A.R.S. §32-1663 and §32-1664.

21  
22 8. The conduct and circumstances described in paragraphs 3 through 15 of the  
23 Findings of Fact constitute unprofessional conduct pursuant to A.R.S. §32-1601(16)(j), (violating a  
24 rule that is adopted by the board pursuant to this chapter, specifically, A.A.C. R4-19-403(6), (failing  
25 to take appropriate action to safeguard a patient's welfare or to follow policies and procedures of the  
26 nurse's employer designed to safeguard the patient), and is grounds for disciplinary action pursuant to  
27 A.R.S. §32-1663 and §32-1664.  
28  
29

1           9.     The conduct and circumstances described in paragraphs 3 through 15 of the  
2 Findings of Fact constitute unprofessional conduct pursuant to A.R.S. §32-1601(16)(j), (violating a  
3 rule that is adopted by the board pursuant to this chapter, specifically, A.A.C. R4-19-403(9),  
4 (assuming patient care responsibilities for which the nurse lacks the education to perform or for which  
5 the nurse has failed to maintain nursing competence), and is grounds for disciplinary action pursuant  
6 to A.R.S. §32-1663 and §32-1664.\

7  
8  
9           10.    The conduct and circumstances described in paragraphs 3 through 15 of the  
10 Findings of Fact constitute unprofessional conduct pursuant to A.R.S. §32-1601(16)(j), (violating a  
11 rule that is adopted by the board pursuant to this chapter, specifically, A.A.C. R4-19-403(25),  
12 (practicing in any other manner which gives the Board reasonable cause to believe that the health of a  
13 patient or the public may be harmed, and is grounds for disciplinary action pursuant to A.R.S. §32-  
14 1663 and §32-1664.

15  
16           The conduct and circumstances described in the Findings of Fact constitute sufficient  
17 cause pursuant to A.R.S. §§32-1663(D)(5) 32-1664(N) to take disciplinary action against  
18 Respondent's license to practice as a professional nurse in the State of Arizona.  
19

20           Respondent acknowledges that the Board possesses a preponderance of the evidence to  
21 establish that his actions violated the Nurse Practice Act.  
22

23           Respondent understands that he has an opportunity to request a hearing and declines to  
24 do so. Respondent agrees to issuance of the attached Order and waives all rights to a hearing,  
25 rehearing, appeal, or judicial review relating to this Order.

26           Respondent understands that all investigative materials prepared or received by the  
27 Board concerning these violations and all notices and pleadings relating thereto may be retained in the  
28 Board's file concerning this matter.  
29

1 Respondent understands that the admissions in the Findings of Fact are conclusive  
2 evidence of a violation of the Nurse Practice Act and may be used for purposes of determining  
3 sanctions in any future disciplinary matter.  
4

5 Respondent understands the right to consult legal counsel prior to entering into the  
6 Consent Agreement and such consultation has either been obtained or is waived.  
7

8 Respondent understands that this voluntary surrender is effective upon its acceptance by  
9 the Executive Director or the Board and by Respondent as evidenced by the respective signatures  
10 thereto. The effective date of this Order is the date the Voluntary Surrender is signed by the  
11 Executive Director or the Board and by Respondent. If the Voluntary Surrender is signed on a  
12 different date, the later date is the effective date.  
13

14 Respondent understands that Voluntary Surrender constitutes disciplinary action.  
15 Respondent also understands that he may not reapply for reinstatement of his professional (RN) nurse  
16 license during the period of Voluntary Surrender.  
17

18 If Respondent meets all the Board's application requirements, he may apply for  
19 practical (LPN) licensure, upon completion of an application and successful passing of NCLEX. The  
20 Board shall not consider the voluntary surrender of his professional nurse license as a sole basis to bar  
21 his licensure as a practical nurse. However, the Board may consider conditional licensure  
22 requirements at the time of application.  
23

24 Respondent agrees that he may apply for reinstatement of his professional (RN) nurse  
25 license after the period of voluntary surrender under the following conditions, and must comply with  
26 current law at the time of their application for reinstatement:  
27

28 The application for reinstatement must be in writing and shall contain therein or have  
29 attached thereto substantial evidence that the basis for the voluntary surrender has been removed and

1 that the reinstatement of the license does not constitute a threat to the public's health, safety and  
2 welfare. The Board may require physical, psychological, or psychiatric evaluations, reports and  
3 affidavits regarding the Respondent as it deems necessary. These conditions shall be met before the  
4 application for reinstatement is considered.  
5

6 Jude Nwosu  
7 Respondent

8 Date: 7-16-04  
9

10 ARIZONA STATE BOARD OF NURSING

11 SEAL

12 Joey Redenour  
13 Joey Redenour, R.N., M.N.  
14 Executive Director

15 Dated: 7/16/04  
16

17 \\\

18 \\\

19  
20  
21  
22 **ORDER**

23 Pursuant to A.R.S. §32-1663 (D)(5) the Board hereby accepts the Voluntary Surrender  
24 of professional nurse license number RN114528 issued to Jude Nnamentelum Nwosu. This Order of  
25 Voluntary Surrender hereby entered shall be filed with the Board and shall be made public upon the  
26 effective date of this Consent Agreement. Respondent shall not practice in Arizona under the  
27 privilege of a multistate license.  
28  
29

